

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

- against -

LENA LASHER,

Defendant.

O R D E R

12 Cr. 868 (NRB)

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

WHEREAS on May 15, 2015, the defendant ("Lasher") was convicted of, inter alia, conspiracy to misbrand prescription drugs, mail and wire fraud; and

WHEREAS on November 28, 2018, Lena Lasher filed a civil action (the "Civil Action"), captioned Lena Lasher v. Peter Riccio, et al., Civil Action MID L 007984-18, in the Superior Court of New Jersey, Law Division, Middlesex County (the "Civil Action"), naming as defendants, inter alia, six (6) witnesses (the "Witnesses"), including Dr. Anu Konakanchi, who testified at Lasher's criminal trial in May of 2015; and

WHEREAS on April 9, 2019, the Government filed a motion under 18 U.S.C. § 1514(b)(1) for an order to show cause as to why Lasher should not be ordered to (i) cease pursuing the Civil Action against the Witnesses, and (ii) refrain from pursuing any

additional civil actions against the Witnesses, based on information provided by them to federal law enforcement concerning Lasher and/or their testimony in United States v. Lena Lasher, S5 12 Cr. 868 (NRB), without prior written leave of the Court, for a period of three years, subject to renewal for good cause shown, see ECF No. 423; and

WHEREAS on April 23, 2019, the Court signed an order to show cause, see ECF No. 429, and held a hearing on May 29, 2019 on the order to show cause; and

WHEREAS on June 3, 2019, the Court issued an order (the "June 3 Order") directing Lasher to (i) cease pursuing the Civil Action against the Witnesses, and (ii) refrain from pursuing any additional civil actions against the Witnesses, based on information provided by them to federal law enforcement concerning Lasher and/or their testimony in United States v. Lena Lasher, S5 12 Cr. 868 (NRB), without prior written leave of the Court, for a period of three years, subject to renewal for good cause shown, see ECF No. 431; and

WHEREAS on July 1, 2019, the Court held a hearing at which Lasher was informed that if she appealed the dismissal of the Civil Action, she would be in violation of the June 3 Order, see Transcript of Proceedings (July 1, 2019) (ECF No. 465) at 10-11; and

WHEREAS on December 14, 2020, Lasher filed a brief in the Superior Court of New Jersey, Appellate Division (the "Appellate Division") seeking, inter alia, reversal of the trial court's dismissal of Dr. Anu Konakanchi from the Civil Action; and

WHEREAS on January 15, 2021, the Government filed a letter (the "Letter") seeking an order enforcing the June 3 Order and directing Lasher to withdraw her appeal of the Civil Action as against Dr. Anu Konakanchi; and

WHEREAS on February 11, 2021, Lasher responded to the Letter and represented that "there is no appeal on file against [Dr. Anu] Konakanchi"; it is hereby


ORDERED that Lasher directly inform the Appellate Division that it is not her intent to appeal the dismissal of the Civil Action as to Dr. Anu Konakanchi; and it is further

ORDERED that, to facilitate the clarification of this matter with the Appellate Division, this Court has no objection to counsel for Dr. Anu Konakanchi providing a copy of this order to the Appellate Division and providing a copy of Lasher's letter to this Court of February 11, 2021, redacted to limit its contents only as to Dr. Anu Konakanchi's appeal, a copy of which is annexed to this order; and it is further

ORDERED that any effort by Lasher to otherwise pursue the appeal of the Civil Action as to Dr. Anu Konakanchi will result

in the issuance of an order to show cause why she should not be held in contempt.

Dated: New York, New York
February 12, 2021

A handwritten signature in blue ink, reading "Naomi Reice Buchwald", is positioned above a horizontal line.

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Defendant (pro se)

Lena Lasher

A copy of the foregoing Order has been sent by FedEx Overnight to:

Lena Lasher

16 Patton Street

High Bridge, NJ 08829

Southern District of New York

The Honorable Naomi Reice Buchwald's United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: **US v. Lena Lasher, S5 12 Cr. 868 (NRB)**

Superior Court of New Jersey Appellate Division Docket No. A-003040-19T4

Dear Judge Buchwald,

February 11, 2021

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Richenthal's January 15, 2021 letter requesting for an order to show cause why an order should NOT issue directing Dr. Lasher to immediately withdraw her appeal against Konakanchi in the superior Court of New Jersey, Appellate division BECAUSE THERE IS NO APPEAL on file against Konakanchi, as detailed below.

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As your Honor were very well aware in my filings to this Court since May 2020, my request to the New Jersey Superior Court was to **REINFORCE your June 3, 2019 order** (See Exhibit A - on file with the New Jersey Superior Court), as well as **Konakanchi's January 6, 2020 HERSELF request**

to the Court, to dismiss Konakanchi without prejudice (See Exhibit B).

As clearly stated in my brief on page 47 (See Government Exhibit B , “Most importantly, three (3) different judges, **Judge Buchwald**, Judge Brady, and Judge Vignuolo, gave two (2) different orders in regard to Defendant Konakanchi. The **Order plaintiff was told to abide by is the Judge Buchwald June 3, 2019 Order in which she ordered the Plaintiff to cease the civil action against Konakanchi for a period of three years. It was Judge Vignuolo who violated Judge Buchwald’s June 3, 2019 Order and Judge Brady’s June 26, 2019 Order. Judge Vignuolo ALSO FAILED to address the aforementioned issue.”**

I believe I and Judge Brady were the **ONLY ones who followed your Honor’s order;** my brief was to **make sure your June 3, 2019 order is followed.** I would appreciate **your Honor to inform the New Jersey Superior Court of such fact.**

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CONCLUSION

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For the foregoing, as detailed throughout this letter, and as your Honor are very well aware in my filings to this Court since May 2020, my request to the New Jersey Superior Court was to **REINFORCE your June 3, 2019 order** (See Exhibit A - on file with the New Jersey Superior Court), as well as **Konakanchi's January 6, 2020 HERSELF request to the Court, to dismiss Konakanchi without prejudice** (See Exhibit B).

As clearly stated in my brief on page 47 (See Government Exhibit B , “Most importantly, three (3) different judges, **Judge Buchwald**, Judge Brady, and Judge Vignuolo, gave two (2) different orders in regard to Defendant Konakanchi. The **Order plaintiff was told to abide by is the Judge Buchwald June 3, 2019 Order in which she ordered the Plaintiff to cease the civil action against Konakanchi for a period of three years. It was Judge Vignuolo who violated Judge Buchwald's June 3, 2019 Order and Judge Brady's June 26, 2019 Order. Judge Vignuolo ALSO FAILED to address the aforementioned issue.”**

I believe I and Judge Brady were **the ONLY ones who followed your Honor's order**; my brief was to **make sure your June 3, 2019 order is followed**. I would appreciate **your Honor to inform the New Jersey Superior Court of such fact**.

As clearly stated throughout this letter and backed up with physical evidence, **I did not violate any law nor Court's order**.

Thank you for your prompt attention and understanding.

Respectfully submitted,

s/Lena Lasher

Lena Lasher, Pro-Se, 16 Patton Street, High Bridge, NJ 08829 908-447-4484

CERTIFICATE of SERVICE

The Plaintiff, Lena Lasher, hereby certify that she has this 11th day of February 11, 2021 caused a copy of the foregoing letter to Honorable Judge Naomi Reice Buchwald in lieu of my ANSWER to comply with the February 9, 2021 Court Order to answer AUSA Richenthal's January 15, 2021 letter requesting for an order to show cause why an order should NOT issue directing Dr. Lasher to immediately withdraw her appeal against Konakanchi in the superior Court of New Jersey, Appellate division **BECAUSE THERE IS NO APPEAL on file against Konakanchi**, per Federal Rules of Civil Procedure and Local Civil Rules of the United States District Courts for the Southern and Eastern Districts of New York upon the persons and in the manner indicated below which service satisfies the requirements of NY. R.A.P.:

Service by first-class mail, postage prepaid, addressed as follows:

Clerk of the Court Pro Se Intake Unit
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

AUSA Daniel Richenthal
U.S. ATTORNEY'S OFFICE
1 Saint Andrews Plz,
New York, NY 10007-1701

also via email: Temporary_Pro_Se_Filing@nysd.uscourts.gov

Clerk of the Court, Superior Court of New Jersey, Appellate division, PO Box 006, Trenton, NJ 08625

Michael Della-Ventura mdellaventura@comcast.net

Howard Crane, Esq hcrane@cranelawyers.com

Joshua Link, Esq joshua.link@dinsmore.com

Respectfully submitted,

Date: February 11, 2021

s/Lena Lasher

Lena Lasher, Pro-Se, 16 Patton Street, High Bridge, NJ 08829 908-447-4484